IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24227 of 2004

Between:

A.Srinivas S/o.Ashalu,
Government Junior.College, Mallial, Karimnagar District.

..... PETITIONER

AND

1 The Government Junior College, Mallial, Karimnagar District, Rep. by its Principal.
2 The Director of Intermediate Education, Government of A.P.Nampally, Hyderabad.
3 The Government of A.P. rep. by its Secretary, Department of Higher Education, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the Respondent in not continuing the petitioner as Civics Lecturer as per the agreement made between the petitioner and Respondents as illegal, arbitrary and in violation of principles of natural justice and consequently direct the respondents to continue the petitioner as Civics Lecturer till the end of agreement period i.e. 28-2-2005.

Counsel for the Petitioner:MR.S.ABHAY KUMAR SAGAR

Counsel for the Respondent Nos.R1 & R3: GOVERNMENT PLEADER FOR HIGHER EDUCATION

Counsel for the Respondent No.2: MR.S.S.PRASAD, STANDING COUNSEL

The Court at the stage of admission, made the following :

The Court at the stage of admission, made the following :

ORDER:

For not continuing the petitioner as lecturer as per the agreement made between the petitioner and respondents, the present writ petition is filed.

The learned counsel for the petitioner contended that for the posts of junior lecturers Writ Petitioners were selected through regular selection process. The proceedings dated 10.12.2004 were kept in abeyance by the Regional Joint Director of Intermediate Education, Warangal.

The learned Government Pleader opposed the same.

The facts are not in dispute. The petitioner was appointed by the 2nd respondent vide proceedings No.Rc.RD Ser.112/2138/2003, dated 03.09.2004 on contract basis. The validity of the contract period is up

to 28.02.2005, and since the time of appointment the writ petitioner has been discharging his duties. Contrary to the terms of the contract of agreement, the writ petitioner was orally instructed not to attend the classes from 15.12.2004. The act of the respondents in terminating the services of the petitioner orally is contrary to the terms of contract of agreement, which is in force till 28.02.2005.

Therefore, the writ petition is allowed directing the respondents to continue the petitioner, as per agreement, till 28.02.2005. No order as to costs.

23.12.2004

NOTE: Office to furnish C.C by tomorrow

(B.O) bsv

To

1 The Principal , Government Junior College, Mallial, Karimnagar District,.
2 The Director of Intermediate Education, Government of A.P.Nampally, Hyderabad.
3 The Secretary , Government of A.P., Department of Higher Education, Secretariat, Hyderabad.

4. 2 CCs to the Government Pleader for Higher Education, High Court Buildings,

A.P.,Hyderabad (OUT)

5, 2 CD copies